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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Shasta)

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THE PEOPLE,

Plaintiff and Respondent,

v.

ARTHUR SIMON COLLER,

Defendant and Appellant.

C090596

(Super. Ct. No. 17F6096)

Appointed counsel for defendant Arthur Simon Collier asked this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*)). Based on our review of the record, we will direct the trial court to correct the March 13, 2018 minute order. Finding no other arguable error that would result in a disposition more favorable to defendant, we will affirm the judgment.

I

The People's November 22, 2017 information charged defendant with stalking (Pen. Code, § 646.9, subd. (a)<sup>1</sup> -- count one), residential burglary (§ 459 -- count two),

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<sup>1</sup> Undesignated statutory references are to the Penal Code.

criminal threats (§ 422 -- count three), battery on a parent of his child (§ 243, subd. (e)(1) -- count four), and vandalism (§ 594, subd. (b)(2)(a) -- count five). It alleged as to count two that a person was present during the burglary (§ 667.5, subd. (c)(21)).

Defendant pleaded no contest to counts one and five in exchange for dismissal of the remaining counts, a grant of probation, 180 days in jail, and the promise that he could withdraw his plea to count one upon successful completion of probation.

On March 13, 2018, the trial court placed defendant on probation for three years, ordered him not to have contact with the victim except pursuant to family court order, and ordered him to pay various fines, fees and assessments. However, later that month, the People filed a petition for violation of probation alleging defendant had contacted the victim. Defendant admitted the violations and the trial court imposed the upper term of three years for stalking, suspended execution, and continued defendant on probation.

Five more petitions for violation of probation were filed against defendant. In resolving the final petition, defendant admitted that he tampered with a vehicle, siphoned gasoline from a vehicle, traveled outside the county without permission, was terminated from the Day Reporting Center program for nonattendance, and had failed to report to the probation department as ordered.

The trial court reinstated the previously suspended three-year prison sentence, awarded 397 days of presentence credit (199 actual days and 198 conduct days) and ordered defendant to pay certain fines. Defendant's request for a certificate of probable cause was denied.

## II

Appointed counsel filed an opening brief setting forth the facts of the case and asking this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing the opening brief. More than 30 days elapsed and we received no communication from defendant.

Having undertaken an examination of the entire record, we will direct the trial court to correct two clerical errors in the March 13, 2018 minute order. First, the order incorrectly identifies a criminal conviction assessment (Gov. Code, § 70373) as \$60 rather than the \$30 the trial court imposed. Second, the minute order identifies a 15 percent administrative fee that the trial court did not impose. We find no other arguable error that would result in a disposition more favorable to defendant.

## DISPOSITION

The judgment is affirmed. The trial court is directed to correct the March 13, 2018 minute order to reflect a \$30 rather than \$60 criminal conviction assessment (Gov. Code, § 70373) and to delete the 15 percent administrative fee.

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MAURO, J.

We concur:

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RAYE, P. J.

/S/  
RENNER, J.